

## **Minutes**

**VA Child Day Care Council  
7 N. 8<sup>th</sup> Street  
Richmond, Virginia  
April 22, 2004**

### Present

Gail Johnson, Chair  
Lisa Shelburne, Secretary  
Rosemary Burton  
Margaret Collins  
Norman Crumpton  
Terry Davis  
Charles Finley  
Sondra Freeman  
Bethany Geldmaker  
Susan Hackney  
William Harvey  
Kim Hulcher  
Novella Ruffin  
Anita Simpkins  
Nancy Smith  
Kristi Snyder  
Adam Thiel  
Jeff Walton

### Absent

Donna Thornton, Vice Chair  
Susan Ballard  
Judith Beattie  
Deborah Gardner  
Donna Peters  
Carol Steele  
William Tobin  
Deborah White  
Jay DeBoer  
Dona Huang

### Call to Order

The meeting was called to order by Chair Gail Johnson at 10:00 a.m. on Thursday, April 22, 2004.

Introductions

Chairman Johnson welcomed and introduced special invited guest Delegate Jack Reid to the Council Meeting.

Agenda Approval

***ON MOTION DULY MADE (Mr. Harvey) and seconded (Mr. Finley) moved to accept the agenda as presented with the addition of unfinished business being added to finalize past motions; approval to move Ms. Geldmaker's presentation until her arrival; and approve the decision to work through lunch. Motion carried with all in favor.***

Commissioner Comments

Commissioner Jones welcomed the Council and stated "Let's Get to Work".

Action Items

Resilient Surfacing VAC 15-30-410 Definition

***ON MOTION DULY MADE (Ms. Craig) and seconded (Mr. Harvey) moved to clarify; add "or" after definition of resilient surfacing in 1 a; strike a, b, and c; and for indoor and outdoor use underneath and surrounding equipment, centers please refer to the Compressed Loose Fill Synthetic Material Depth Chart in Appendix. Voice vote 16 yes- (Shelburne, Burton, Collins, Craig, Crumpton, Davis, Finley, Freeman, Geldmaker, Hackney, Harvey, Ruffin, Simpkins, Smith, Snyder, and Thiel); 1 no (Hulcher); 1 abstain (Johnson). Motion carried.***

Chair Johnson confirmed with Ms/ Lapp-Payne that "hard surfaces" would remain.

***ON MOTION DULY MADE (Mr. Crumpton) and seconded (Mr. Harvey) moved to accept D as written, striking "stats within arm's length of any hard molded swing when in use and" from exception. Carried with all in favor.***

***ON MOTION DULY MADE (Ms. Hulcher) and seconded (Mr. Crumpton) moved to add "during the months of June, July, and August" shady areas shall be provided on the playground. Motion carried with all in favor.***

***In reference to concern by Ms. Burton in 410 B-it was Council consensus "where playground equipment is provided resilient surfacing shall comply with minimum safety standards when tested in accordance with the procedures described in the American Testing and Materials standard F 1291-99 as shown in Figures 2 (Compressed Loose Fill synthetic Materials Depth Chart) and 3 (Use Zones for Equipment) on pages 6-7 of the National Program for Playground Safety's Selecting Playground Surface Materials Guideline Handbook and shall be under equipment with moving parts of climbing apparatus to create a fall zone free of hazardous obstacles..."***

***“Fall zones do not include: barriers for resilient surfacing. Where steps are used for accessibility, resilient surfacing is not required”. By Council consensus, Ms. Lapp-Payne was asked to provide (at the next meeting) clarification on barrier border and step access.***

***ON MOTION DULY MADE (Mr. Crumpton) and seconded (Ms. Simpkins) moved that ground supports for playground equipment shall be covered with materials that protect children from injury. Motion carried with all in favor.***

Staff Qualifications and Training #310

***ON MOTION DULY MADE (Ms. Hackney and seconded (Mr. Thiel) moved to increase training hour requirements for parents of coop centers from two hours per year to four hours per year. Motion carried with all in favor.***

***ON MOTION DULY MADE (Ms. Hackney) and seconded (Mr. Thiel) moved to include up to two hours of CPR and First Aid training to count toward annual training. Motion carried with all in favor.***

***ON MOTION DULY MADE (Ms. Hackney) and seconded (Ms. Craig) moved to accept “D” on page 17 as written. Voice vote: 12 No (Burton, Collins, Craig, Crumpton, Davis, Finley, Freeman, Geldmaker, Harvey, Hulcher, Simpkins, Smith) 5 Yes (Shelburne, Hackney, Ruffin, Snyder, Thiel) 1 abstain (Johnson). Motion failed***

Ms. Lapp-Payne will review the principles of the discussion (separating daily health checks to be performed every day but not at specific hours) and medication administration to ensure someone is on staff but necessarily on site; separating emergencies from routine medication with regard to prescription drugs and over the counter drugs. Trained staff must be capable of reading and following written directions for medication administration. This information will come before the Council at their next meeting.

Transportation #640 page 30

***ON MOTION DULY MADE (Ms. Simpkins) and seconded (Ms. Burton) moved that the staff-to-children ratios of 22 VAC 15-30-440 E, G, and H shall be followed on all field trips. The staff-to-children ratios need not be followed during transportation of children to and from the center as long as there is one staff member or adult in addition to the driver when 16 or more preschool or younger children are being transported in the vehicle. Voice vote: 12 yes (Burton, Collins, Crumpton, Davis, Finley, Freeman, Geldmaker, Harvey, Hulcher, Ruffin, Simpkins, Smith) 4 No (Shelburne, Hackney, Snyder, Thiel) 1 abstain (Johnson). Motion carried.***

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***ON MOTION DULY MADE (Ms. Hackney) and seconded (Ms. Freeman) moved to add the line “and stated maximum number of passengers in a given vehicle shall not be exceeded” to 640 C 1. page 30. Motion carried on intent since actual verbiage was not available.***

***ON MOTION DULY MADE (Ms. Snyder) and seconded (Mr. Crumpton) moved to accept item k on page 31 as proposed by the department. Motion carried.***

***Consensus of the Council to add “s” to word “remain” in Section 4.***

Minutes

Chairman Johnson advised there were some dangling motions in the previous minutes. There was discussion among Council members regarding taping of Minutes by other Council members without prior knowledge. ***By consensus, Council voted to have department staff review the written minutes against the tape recordings and bring back to the next meeting for approval.***

Future Meeting

The next meeting will be May 13 at 1:00 p.m.

Supervision of Children

***By Council consensus, agreed to retain #430, section D on page 20 as presented in Town Hall.***

Infant Development/Safety Issues

***By Council consensus, agreed to add to “remain...in that space” on item #461. Carried with all in favor.***

***ON MOTION DULY MADE (Mr.Thiel) and seconded (Mr. Harvey) moved to add the color chart and website address into appendix II (item #461) for the Department of Environmental Quality [www.deq.state.va.us](http://www.deq.state.va.us) in the appendix. Motion carried with all in favor.***

***ON MOTION DULY MADE (Mr. Crumpton) and seconded (Ms. Simpkins) moved to include list of behaviors (item #461) as examples of positive interaction with infants stimulation and language development activities including but not limited to staff reading, talking to, showing pictures to, naming objects for, playing with and engaging in positive interactions such as smiling, cuddling, and making eye contact with individuals. Motion carried with all in favor.***

Parent Involvement

***By consensus, Council agreed that #490 item 3 on page 23 should be seen as three thoughts. DSS was charged with breaking out the individual thoughts.***

***ON MOTION DULY MADE (Mr. Crumpton) and seconded (Mr. Harvey) moved to request Ms. Lapp-Payne reword #490 E 3 to include parents shall be provided at least semiannually in writing, information on their child's development, behavior, adjustment, and needs. Staff shall provide at least semiannual scheduled opportunities for parents to provide feedback on their children and the center's program. Staff shall request at least annually parent confirmation that the required information in the child's record is up to date. Such sharing of information shall be documented. Short-term programs are exempt from this requirement. Motion carried with all in favor.***

Prevention of the Spread of Disease

***ON MOTION DULY MADE (Ms. Snyder) and seconded (Mr. Thiel) moved to accept #570 C on page 26 with the removal of a "comma" after disease and add "comma" after law. Motion carried with all in favor.***

***Motion to unstrike proposed stricken language in 570 C with regard to communicable diseases. Motion carried with all in favor.***

***ON MOTION DULY MADE (Ms. Snyder) and seconded (Ms. Geldmaker) moved to accept #570 as proposed by the Department and Section C and D as amended to add emergency exception such that if a disease is life threatening, then centers must begin contacting all center families immediately. Motion carried.***

***ON MOTION DULY MADE (Mr. Harvey) and seconded (Mr. Thiel) moved to approve 101 degrees F. as a child having a fever as referred to #570 A1 page 26. Motion carried.***

Addressing equipment that could present safety concerns

***By Council consensus agreed to add label requirement to play yards (#500 J page 24) to ensure that the product is in compliance with the requirements of the current safety standard at the time of manufacture, per NHSPS.***

Medication Administration

***ON MOTION DULY MADE (Ms. Hulcher) and seconded (Mr. Harvey) moved to approve #580 J on page 27 as amended with recommended change "must be picked up within 14 days or the parent must renew the authorization". Medicines that are not picked up by the parent within 14 days will be disposed of by the center either dissolving the medication down the sink or flushing it down the toilet. Motion carried.***

Safe use of sunscreen, diaper ointment or cream, and insect repellent OTC products  
***ON MOTION DULY MADE (Ms. Hulcher) and seconded (Mr. Harvey) moved to accept #585 page 27 as written with the removal of the 90-day time limit for any non-prescription and over-the-counter medications and adhere to the manufacturer's recommendation; separate "kept" from "used; and staff members without medication administration training may apply sunscreen, unless it is prescription sunscreen, in which case the storing and application of sunscreen must meet medication related requirements. Motion carried.***

Emergency preparedness and handling injuries  
***ON MOTION DULY MADE (Mr. Thiel) and seconded (Ms. Freeman) moved to strike the word "etcetera" from examples of emergency scenarios in #610 on page 28 and to put in its place the phrase "including but not limited to". Motion carried with all in favor.***

***ON MOTION DULY MADE (Ms. Burton) and seconded (Mr. Harvey) moved to add the definition of "shelter in place" to 15-30-10. Motion carried.***

Nutrition and Food Services

***ON MOTION DULY MADE (Mr. Thiel) and seconded (Mr. Harvey) moved to include the definition of sanitation as surface of item is sprayed or dipped into the disinfectant solution and allowed to air dry. Motion carried.***

***ON MOTION DULY MADE (Mr. Thiel) and seconded (Mr. Finley) (with friendly amendment by Hulcher/Simpkins) moved to strike the word "immediately" (K 1) after sanitized, insert "and after each", change the word (2.) washed to clean, remove "after used for feeding" and insert "at least daily" to read "K. Tables and high chair trays shall be sanitized before and after each use for feeding and cleaned at least daily. Motion carried.***

Ms. Lapp-Payne was requested by the Council to search for all mentions of "breast milk" in the Town Hall document to examine time limits for consistency.

Child Identity

***Per action of the 2004 General Assembly, if a child day center's policy is to retain documentation of the child's identity, the center must destroy the documentation.***

63.2-1809

Upon enrollment of a child in a regulated child day program, such child day program shall require information from the person enrolling the child regarding previous child day care and schools attended by the child. The regulated child day program shall also require that the person enrolling the child present the regulated child day program with the proof of the child's identity and age. The proof of identity, if reproduced or retained by the child day program or both, shall be destroyed upon the conclusion of the requisite period of retention. The procedures for the disposal, physical destruction or other disposition of the proof of identity containing social security numbers shall include all reasonable steps to destroy such documents by shredding, erasing, or otherwise modifying the social security numbers in those records to make them unreadable or indecipherable by any means. This is a mandatory change through General Assembly according to HB 872. There was a typo and staff was asked to remove the word "the".

Body Fluids

***Section 10 page 8***

***By Council consensus, approved to accept as proposed. Carried with all in favor.***

Sanitized

***#10 page 10***

***By Council consensus, moved to accept the Department's recommendation. Carried with all in favor.***

There was a request from Ms. Simpkins that a search would be done for all mentions of "sanitize" in the Town Hall document. Ms. Lapp-Payne will research and provide this information at the next meeting.

General Qualifications

***#200 C page 14***

***By Council consensus, agreed to separate staff abilities with regard to communicating with emergency personnel from staff abilities that pertain to medication. "Staff who work directly with children shall be capable of communicating with emergency personnel".***

Program Leader Qualifications

***#260 C page 16***

***By Council consensus, agreed to accept Department's recommendation. Carried with all in favor.***

Program Leader

**#260 2.**

***ON MOTION DULY MADE (Mr. Thiel) and seconded (Ms. Hackney) moved to leave in the word “endorsement” as endorsements may be applicable from other states’ programs or from the Department of Education. Carried with all in favor.***

Staff and Training Development

**#310 A 4 page 16**

***By Council consensus, accepted Department’s recommendation to change “law” to “legal”. Carried with all in favor.***

**310 D page 17**

***ON MOTION DULY MADE (Mr. Harvey) and seconded (Mr. Thiel) moved to accept the Department’s recommendation to add reference to independent contractors “There shall always be at least one staff member or independent contractor on duty who has obtained...”. Carried with all in favor.***

Restroom Areas and Furnishings

**#390 B3 page 19**

***By Council consensus, agreed to accept as proposed. Carried with all in favor.***

Parental Involvement

**#490 A 4 page 23**

***ON MOTION DULY MADE (Mr. Walton) and seconded (Mr. Finley) moved to amend recommendation by striking “in writing” and adding ‘authorized by the parent.’ Motion carried with all in favor.***

Equipment and Materials

**#500 D page 24**

***By Council consensus, agreed to accept the Department’s recommendation. Carried with all in favor.***

**#500 K page 24**

***By Council consensus, moved to accept Department’s recommendation. Carried with all in favor.***



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First Aid and Emergency Supplies

**#600 C & D 6 page 28**

***By Council consensus, moved to amend by removing syrup of Ipecac; using activated charcoal preparation, and specifying center's local poison control centers and adding 'pads' to solution so that it reads "An antiseptic cleansing solution/pad" Carried with all in favor.***

Presentations

***Delegate Jack Reid thanked the Council for their dedication and hard work to such an important task. He spoke briefly about how their work impacts the school systems. Members were cautioned to review the proposed regulations carefully and ask 'does this change benefit the child' before making decisions.***

***Wenda Singer provided Council history on 22 VAC 40-191 Background Checks. Information on this subject will be sent home with Council members for review and voted on May 13.***

Adjourn

***ON MOTION DULY MADE (Mr. Crumpton) and seconded (Mr. Finley) moved to adjourn. Carried with all in favor.***